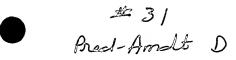
NOV 0 3 2004 10



PATENT APPLICATION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 2023 on October 29, 2004.

Jeffrey D. Myers, Reg. No. 35,964

October 29, 2004 Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):

BRAD BAKER

Serial No.:

09/607,313

Filed:

June 28, 2000

For:

PAINT SET CONFECTIONERY

Examiner: T. Tran Lien

Group Art Unit: 1761

AECENED TO TOO

PRELIMINARY AMENDMENT

Mail Stop: RCE

Commissioner for Patents Washington, D.C. 20231

Dear Sir:

In response to the Decision on Appeal mailed August 31, 2004, please amend the above-identified application as follows:

Amendment to the Claim is reflected in the listing of claim which begins on page 2 of this paper.

Remarks begin on page 3 of this paper.

